IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Bail Appl..No. 964 of 2007()

CRL.MC.210/2007 of SESSIONS COURT, ERNAKULAM
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: PETITIONER/A3:

JUDE K.C., AGED 31,
S/O. CHARLY, KARIKKASSERY (PALLIPPARAMBU) HOUSE,
NETTOOR.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE,
PANANGADU POLICE STATION (CRIME NO.531/2006),
REPRESENTED BY THE PUBLIC PROSECUTOR,
DISTRICT COURT, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/02/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 964 OF 2007

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DATED THIS THE 19TH DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 3rd accused in Crime No.531/06 of Panangad Police Station for offences punishable under sections 143, 147, 148, 452 and 427 read with section 149 IPC and section 27 of the Arms Act, 1959 seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 7.45 PM on 19.11.2006, the petitioner along with six other persons armed with deadly weapons like sword, etc. had trespassed into the house of the de facto complainant and committed vandalism causing a loss of Rs.75,000/=. Petitioner is alleged to be a member of the gunda gang in that locality and is also involved in another offence committed soon after the occurrence in the present case.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail.

Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn